

LOWER PAXTON TOWNSHIP PLANNING COMMISSION

June 13, 2001

PRESENT

W. Roy Newsome
Henry Adams
Ernest Gingrich
David Blain
Dennis Guise
Fred Lighty
Robert Cohan

ALSO PRESENT

Lori Wissler, Lower Paxton Township
Greg Spear, Lower Paxton Township
Joseph Sutor, Lower Paxton Township
Cindy Kucharcik, Tri-County Reg. Planning Comm.

Call to Order

Chairman Robert Cohan called the June 13, 2001 meeting of the Lower Paxton Township Planning Commission to order at 7 p.m.

Approval of Minutes for May 9, 2001

Mr. Guise made a motion to approve the minutes of the May 9, 2001 Planning Commission meeting. Mr. Newsome seconded the motion, and a unanimous vote followed to approve the minutes as submitted.

OLD BUSINESS

Preliminary/Final Subdivision and Land Development Plan #00-23 for 4434 and 4440 Fritchey Street

Mr. Spear stated that this plan was tabled at the August 9, 2000 meeting of the Planning Commission to allow time to work out architectural issues. The purpose of this Plan is to show a reverse subdivision combining two lots, 4434 and 4440 Fritchey Street, into one lot. The purpose of the Plan is to also show parking, setbacks, and improvements required for an approximate 1065 square foot, one story, building addition combining two existing structures on 4434 and 4440 Fritchey Street. There is one waiver request for the plan with six site-specific comments and seven general conditions.

Mr. Spear noted that the Township withdrew its request regarding the trees along Berryhill Street under site-specific condition number one. Regarding site-specific condition number four, the ordinance requires a 400-foot distance between fire hydrants in that zoned area, and the closest fire hydrant is 475 feet from the perimeter of the property. Therefore the Township is requesting a fire hydrant be installed. Regarding site-specific comment number six regarding the waiver request from curbs and sidewalks, the Township does not have a position one way or the other. Mr. Spear noted that the large trees, recent sewer lateral improvements and lack of room on the Berryhill Street side make it difficult for the owner to comply. Mr. Spear recommended that the plan be approved subject to the conditions mentioned. Mr. Kazlauskas was present to represent the plan as well as the applicant, Mrs. Gale Wise.

Mr. Gingrich questioned if there were any curbs or sidewalks in the area. Mr. Spear answered that there were some across the street on Berryhill, east on Fritchey Street and further west on Fritchey Street. Mr. Blain noted that the trees along Fritchey Street are enormous, butting up against the road. Mr. Sutor explained that the loss of trees would impact the traffic calming of the roadway, and added that installation of a curb would eventually damage the trees. Mr. Newsome questioned if curbs could be installed along the radius establishing the curb line at the intersection of Berryhill and Fritchey Streets. Mr. Sutor stated he would need to take another look at the site to determine if there would be any impact to the trees. Mr. Gingrich questioned where the curb would be installed in relation to the edge of the pavement. Mr. Sutor stated that the road was roughly 30 feet wide. Mr. Gingrich stated that the curb line would meet the road pavement, and agreed that the curb radius installation would make sense as long as it looked aesthetically correct.

Mr. Guise questioned if the applicant would have a problem installing a fire hydrant. Ms. Wise answered that she would install a fire hydrant if she were required to do so. Ms. Wise stated that she thought there were water lines along Enders Avenue, and it could be installed in that area. Mr. Newsome questioned if the fire hydrant had to be a radius of 400 feet or 400 linear feet. Mr. Sutor answered that the maximum spacing of fire hydrant shall be 400 feet, not noting radius or road length.

Mr. Guise questioned if the addition would be a one-story building, and Mrs. Wise answered that it would be only a one-story addition. Mr. Blain questioned if the proposed addition was for expanding the drum shop. Ms. Wise replied that the addition would be for storage, as drums require a lot of space.

Ms. Kucharcik representing Mr. Reardon from Tri-County Planning had no comments.

Mr. Newsome made a motion to recommend approval of the preliminary/final land development plan #00-23 for 4434 & 4440 Fritchey Street subject to applicant meeting the site specific conditions; also recommended granting a waiver for the preliminary plan, and granting a waiver request for curbs and sidewalk, except for the area at the curb radius at the corner of Berryhill and Fritchey Streets, requiring curb installation in a way that would not disturb the existing trees. Mr. Adams seconded the motion, and a unanimous vote followed to recommend approval of the plan and the waivers as provided for in the motion.

NEW BUSINESS
Conditional Use #01-02 for
Hartman Motorcars Company

Ms. Wissler advised that the Township received a Conditional Use Application from Hartman Motorcars Company that would allow the sale of new and used vehicles at 6070 Allentown Boulevard, which is part of the DeWalt Building. The property consists of little less than an acre and is zoned C-1, General Commercial. This application seeks to extend the existing motor vehicle sales use to the adjoining property. Conditional Use Applications are reviewed under the criteria listed in Articles 1193.05 and 1193.06 General Use Standards and Performance Standards. In addition, Article 1193.07(n) lists specific standards for sale of vehicles. Mr.

Hartman had submitted a sketch plan showing the proposed location of the pre-owned office along with correspondence stating that he had reviewed all the provisions and would meet all standards. Staff comments are included in the memo and Mr. Hartman is present to answer any questions the Commission may have.

Mr. Cohan questioned if the application was complete. Mr. Sutor stated that the plan was missing the property lines. Mr. Sutor stated that the proposed office space was on a separate lot, and that it would be a separate application for a conditional use. Mr. Sutor requested the property lines to be shown and a diagram to show the traffic flow patterns.

Mr. Hartman explained that it would be an office to handle credit flow for used cars. He noted that there would be very few used cars parked at that location. Mr. Hartman stated that it would not change the traffic flow from its current use.

Mr. Newsome questioned if the DeWalt building was located on the Snyder property. Mr. Hartman explained that the property belongs to Mr. Snyder and he has rented that property for the past 15 years. He explained that it would be the office next door to the old Black and Decker Store.

Mr. Newsome questioned if there was vehicular access between the two properties. Mr. Hartman answered that they are connected to each other. Mr. Sutor questioned if the parking setbacks were met, which couldn't be determined due to the lack of property lines on the plan. Mr. Hartman explained that he would be willing to provide the Township with updated plans. Mr. Hartman explained that the office would be on Rt. 22.

Mr. Sutor questioned if the pre-owned cars would be staying in the same location. Mr. Hartman stated that a few would be in front of the office building.

Mr. Gingrich questioned if Mr. Hartman had an opportunity to review the comments from Township Staff. Mr. Hartman replied that he did not. Mr. Gingrich noted that the comments requested a parking plan and on-site traffic flow pattern to include the location of existing building and property lines.

Mr. Newsome questioned if the owners of the rental property needed to be consulted. Mr. Sutor answered that it would be either the property owner or the equitable owner, being the lessee. Ms. Wissler noted that regarding a past plan concerning the Auto Max dealership, the owner lived in California and was not available for that conditional use request. Mr. Hartman noted that he would get a letter of approval from Mr. Snyder. Ms. Wissler stated that it could be made a condition of approval.

Mr. Guise made a motion to recommend approval of Conditional Use #01-02 for Hartman Motorcars Company for the sale of used vehicles on the lot in question subject to the applicant complying with the three comments; and also recommended that the applicant document the approval of the owner of the lot from which he leases the property. Mr. Newsome seconded the motion, and a unanimous vote followed to recommend approval of the conditional use.

**Preliminary/Final Subdivision and Land Development Plan #01-08 for
Colonial Park Fire Company #1**

Ms. Wissler stated that the purpose of this plan was to combine two lots into one lot to permit the construction of a 17, 624 square foot two-story, five-bay fire station with associated off-street parking. The site is located at the southwest corner of South Houcks Road and North/South Road. The property is located in the Transitional District and will be served by public water and sewer. The developer met previously with the Board of Supervisors during a workshop meeting and the Supervisors have agreed to vacate a portion of North/South Road, which will reduce the right-of-way of that road from 88 feet to 50 feet.

Waivers Requested:

1. Waiver of Preliminary Plan
2. Waiver of the maximum width requirement of driveways within 15 feet of a public road.

Ms. Wissler noted that staff recommends approval of the plan subject to the nine site specific comments, six general comments, three staff comments, and comments from HRG. Ms. Wissler introduced Mr. Jeff Staub as the Project Engineer, Mr. Ron Linville as the representative from the Colonial Park Fire Company and Mr. Jim Crum as project supervisor.

Mr. Staub explained that the old service station had been torn down, but the ice cream stand is still standing. The Township had suggested narrowing the current cartway width of 50 feet on North/South Road to 30 feet. The Fire Company will take ownership of the southern part of North/South Road, allowing for a larger building to be built on the site. Mr. Staub noted that the Board of Supervisors volunteered to provide paving for the parking areas and the driveways. The Fire Company would be responsible for the curbs and sidewalks.

Mr. Guise questioned the storm water management. Mr. Staub explained that an underground detention facility of 3500 cu. feet would be built to the rear of the property.

Mr. Blain questioned if the old gasoline tanks had been removed from the site. Mr. Staub answered that the tanks had been removed and four monitoring wells have been installed. Mr. Linville explained that all tanks were removed as part of the environmental study required by DEP.

Mr. Staub explained that his site plan showed a small outbuilding for storage and a monument sign with a flagpole, which will be erected in the front of the building. Mr. Staub noted that he would be providing landscape designs for the Township's approval.

Mr. Blain questioned if there would be a banquet hall in the building. Mr. Linville answered that the building would be used for fire company purposes only and some meetings, but no outside social activities.

Mr. Newsome questioned if the building would have a sprinkler system installed. Mr. Crum stated that the building would have sprinkler system.

Mr. Blain questioned if there would be any rear openings to the bays. Mr. Linville explained that one rear bay is included in the plan for the Fire Chief's use.

Mr. Cohan questioned if shielding would be required between the firehouse and neighboring residents. Mr. Staub noted that there would be a landscape buffer.

Mr. Blain questioned if the property was in one deed. Mr. Staub answered that when the survey was commissioned, it was determined that the deeds were showed as one property, with the tax map showing it as two properties. Mr. Linville explained that the previous owner purchased both properties over five years ago, and the fire company bought it from him. Ms. Wissler explained that Mr. Stine is requiring a title search to determine when it became two lots.

Mr. Guise questioned if there would be offices on the second story. Mr. Crum gave the Planning Commission of tour of the facilities by way of explaining the drawings.

Mr. Newsome questioned what the outbuilding would be used for. Mr. Linville explained that it would house lawn movers, snow blowers and also be used as the Christmas Tree Sale headquarters. Mr. Blain questioned if there would be enough parking spaces for the tree sales. Mr. Linville noted that there are 29 spaces in that area.

Mr. Lighty questioned if Mr. Linville had any contact with the neighbors. Mr. Linville stated that any comments he has received from neighbors have been positive.

Mr. Lighty questioned if there would be an outside siren. Mr. Linville stated no, that the firefighters use beepers for notification.

Mr. Newsome questioned if the fire company would have a problem responding to fire calls from this location. Mr. Linville noted that they have use this area in the past, using North/South Road to Miller Road for access to Rt. 22 West. They would use Prince Street for Eastbound fire calls.

Ms. Karcheskick noted that Mr. Reardon is requesting that his name be replaced with the new owners names on the drawing. He also requested that the plan show the transitional zone line. He had a question regarding the wall along South Road, regarding a way to stop vehicles from going off the wall. Mr. Staub noted that there would be concrete curbing installed along the parking area and also a fence would be installed at the top of the wall. The third concern was the replacement of the directional sign once the site work was completed, as it does not show on the plans. Mr. Staub noted that he would make sure the sign is placed on the plan.

Mr. Staub noted that he had some concerns regarding Mr. Snyder's comments and stated that he would be holding a meeting with him regarding the existing storm sewer system that needs to be tied into. Mr. Cohan noted the need for clarification of the outlet structure. Mr. Staub noted that it was an error on his part. Mr. Sutor questioned Mr. Staub's use of an 18 in. pipe in the area of the roadway. Mr. Sutor stated that the Township might accept the use of a 12 in. pipe based on capacity use studies.

Mr. Blain made a motion to approve the Preliminary/final subdivision and land development plan #01-08 for the Colonial Park Fire Company #1, subject upon site specific conditions, general conditions, staff comments, County comments and comments of the engineer. He also recommended approval of the waivers for the preliminary plan requirement and the waiver of the maximum width requirements of driveways within 15 feet of a public street cartway from the maximum width allowed of 24 feet. Mr. Lighty seconded the motion, an a unanimous vote followed to recommended approval of the plan and the waivers provided for in the motion

**Preliminary/Final Land Development #01-07 for
Zimmerman Candy**

Mr. Spear noted that the applicant wished to table this plan due to some unresolved landscape comments and zoning issues. Mr. Blain made a motion to table this plan and Mr. Adams seconded the motion. The Commission agreed to table this plan until a future meeting.

**Phase I Final Land Development Plan # 01-09 for
The Shops at Crums Mill**

Mr. Spear noted the purpose of this plan was to show improvements for Phase I construction of 4500 sq. feet Day Care Center and five-1000 sq. foot retail spaces. The site is located along the western side of Colonial Road, north of Crums Mill Road and just north of the existing bank and new office building. The plan shows improvements to parking, lighting, storm water and landscaping. Staff comments are provided and it was recommended that this plan be tabled, but the applicant requested to be heard before the Planning Commission in order to have these comments addressed to the satisfaction of the Planning Commission. Mr. Spear noted that a problem exists concerning comment #21. This would concern the amount of parking needed to accommodate the unknown use of structures that are to be built. This should be carried over into the Preliminary Plan to determine maximum capacity for each unit's individual use. The Township is trying to alleviate a problem that it is currently experiencing with Kokomo's Restaurant. Mr. Spear introduced Mr. John Melham, the engineer for the project.

Mr. Melham explained that the three main conditions for approving the preliminary approval were the completion of a traffic study, which has been completed and submitted. The second item was a conformation of the actual flood plain, which had been established on the plan, and is in the process of being submitted to FEMA for their review and approval. The third item was a variance request that came out of the landscape buffer, which was in conflict with the ordinance, but was resolved at the zoning-hearing board.

Mr. Melham stated that he would like to review all the site-specific conditions with the Planning Commission.

Regarding comment #4, requesting contributions to defray the cost of improvements made to the intersection of Colonial, Devonshire and Crums Mill Roads, the developer would be happy to share some of the costs.

Comment #1 – Additional right-of-way had been added to the current plan.

Comment #2 – Agreed to connect existing sidewalks along Colonial Road

Comment #3 – Agreed to handicapped accessible ramps for sidewalks and curbs

Comment #4 – Agree to pay fair share based on traffic study supplied to Township

Comment #5 – Change parking to show finished slopes not to exceed 33%.

Comment #6 – Plan shows the monuments on page two of current set of plans

Comment #7 – Agree to all permits, awaiting the delineation of the wetlands permit.

Comment #8 – Completed study and awaiting approval of plan from FEMA

Comment #9 - Agreed to the addition of standard recording notes required by Dauphin County.

Comment #10 – The date of Phase II, the pending restaurant would be dependent on sewer capacity as determined by DEP.

Mr. Sutor questioned if a date should be supplied regarding comment #10, at which an extension would be granted if needed. Mr. Spear noted that a phasing schedule should be submitted to the Township, which would be granted if an extension were needed. Mr. Melham stated that an interested party would like to open a restaurant if the sewer capacity is available. Mr. Sutor stated that Mr. Melham should provide the Township with a phasing plan, and if he cannot make the phasing plan then he should revise it and come back on an annual basis. Ms. Wissler stated that if he does not do this then after five years the plan would need to be current to those standards.

Comment #11 – Mr. Melham stated that Mr. Gordon would address this with Mr. Sutor.

Comment #12 – Agree to revised general note #1, sheet #1 to state the restaurant is only proposed at this time.

Comment #13 – Agree to revised the plan to show that a LOMR will be provided by FEMA

Comment #14 – A list of utilities will be supplied.

Comment #15 – Line striping was added to the plan.

Comment #16 – All signage shall be as per Township requirements.

Comment #17 - Agree to shielding of dumpsters

Comment # 18 – The Preliminary Plan did have a landscape drawing. He passed out copies of the landscape plan, which showed the details, and the planting schedules as well. Mr. Melham noted that at the Zoning-Hearing Board, Mr. Staub indicated that he was impressed with the landscape plan. Mr. Spear stated that he would discuss the plan with Mr. Melham at a later date for clarification purposes regarding the screening necessary to meet the approval of the Diocese of Harrisburg, the adjacent property owner. Mr. Melham noted that the ordinance is not very specific to what should or should not be planted. Mr. Melham noted that along the detention basin, he would like to modify the swale and put additional plantings in that area. Mr. Sutor questioned if that would be difficult due to the detention basin being squeezed in along the flood plain. Mr. Melham stated that he would work with staff to come up with a agreement.

Comment #19 – Mr. Melham noted that the note is on the most current plan.

Comment #20 - Mr. Melham explained that he did not design the HOP until the variance was granted for the landscape buffer. The design is now completed for PENNDOT submission. Mr. Sutor requested Mr. Melham to bring in the design, and he would write the necessary letter for PENNDOT.

Comment #21 – Mr. Melham stated that a note from Mr. Gordon indicated that permission was given with the submission of the preliminary plan. Mr. Spear noted that some of the parking space requirements by the Township could be on the low side; therefore he needs an idea regarding capacity of the day care center, etc. Mr. Melham noted that the variance involving the 34 parking spaces would not have been able to be regained in a redesign plan. He noted that he would follow the fire code standards.

Comment #22 – Mr. Melham stated that the plan study from Dauphin Engineering is no longer available and have since conducted their own study, which would be forwarded to FEMA.

Comment #23 – Base Flood elevations will be shown on the plan.

Comment #24 – The plan shows the corrections made to the parking lot regarding the slopes.

Mr. Cohan had a question regarding the installation of a fence around the basin. Mr. Sutor noted that it is at the Board of Supervisors discretion to determine if a fence should be installed. Mr. Cohan also noted that the detention slope should not be greater than 3:1, and the plan shows a slope of 2:1. Mr. Sutor noted that the down slope behind the building was 15 feet. Mr. Melhorn stated that the depth of the pond was about three feet. Mr. Melhorn stated that he would review the situation.

Mr. Blain questioned if there would be pedestrian access to the site from Crums Mill 1,2,3,4. Mr. Melham stated that it was his intention to provide access to the site in some manner, possibly along the main street. Mr. Blain noted that access to the proposed restaurant would be a good idea.

Mr. Gingrich questioned if receiving the permits from FEMA and PENNDOT would slow down the work schedule. Mr. Melhorn noted that other things could be put into motion until those permits are granted. Mr. Gingrich questioned staff's opinion regarding this issue. Mr. Spear noted that he was comfortable with Mr. Melham's responses to comments.

Mr. Blain questioned if the other retail spaces have been rented out. Mr. Melham responded that he is in preliminary negotiations with a pizza shop, dry cleaning facility, and day care center.

Mr. Blain questioned if the owner had secured the ability to make a left hand turn into the facility from Colonial Road from PENNDOT. Mr. Sutor noted that formal approval had not been granted. Mr. Melham noted that the left turn showed on the current plan has the proper length of taper, but is awaiting PENNDOT approval.

Mr. Cohan questioned if Ms. Kucharcik had any comments. Ms. Kucharcik had a question concerning the footprint of the day care facility. She noted that the footprint had changed, but the square footage remained the same. Mr. Melham stated that he modified the plan, but square footage remained the same. She also noted that the Dauphin County Recorder of Deeds requires that a note be put on the plan to indicate the sheet # of # for recording. Ms. Kucharcik questioned if a revised lighting plan has been shown on the plan. Mr. Sutor noted that the parking lot lighting was shown on the plan.

Mr. Cohan noted that the location of tanks regarding comment #6 remain the same as shown on the final plan.

Mr. Blain made a motion to recommend approval of Phase I Final Land Development Plan #01-09 for the Shops at Crums Mill conditioned upon site specific comments, general conditions, staff recommendations comments, and hearing comments as well as county comments. Mr. Guise seconded the motion, and a unanimous vote followed to recommend approval of the plan as provided for in the motion.

Comprehensive Plan Update

Mr. Spear noted that there were no comments regarding the Comprehensive Plan Update.

Mr. Guise noted that the next meeting of the Planning Advisory Committee would be Tuesday, June 26, 2001.

Public Comment

Mr. Spear stated that he sat in for Mr. Cohan at the Traffic and Corridor Study on June 11, 2001 and they are proceeding on the scope of work for the Linglestown Road Corridor to include Route 743.

Adjournment

The meeting adjourned at 8:37 p.m.

Respectfully submitted,

Maureen Heberle
Recording Secretary